

**Feb 28, 2018**

SEAN F. MCAVOY, CLERK

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

LINDA FIGUEROA,

Plaintiff,

v.

COMMISSIONER OF SOCIAL  
SECURITY,

Defendant.

NO. 1:17-CV-03141-SAB

**ORDER GRANTING  
STIPULATED MOTION FOR  
REMAND**

Before the Court is the parties' Stipulated Motion for Remand, ECF No. 25. The parties stipulate that the above-captioned case be reversed and remanded for further administrative proceedings, including a *de novo* hearing pursuant to 42 U.S.C. § 405(g). The parties further agree that reasonable attorney fees should be awarded under the Equal Access to Justice Act, 28 U.S.C. § 2412, upon proper request to the Court.

Accordingly, **IT IS HEREBY ORDERED:**

1. The parties' Stipulated Motion for Remand, ECF No. 25, is **GRANTED**.

2. The decision denying benefits is **REVERSED** and **REMANDED** for further administrative proceedings. On remand, the Administrative Law Judge ("ALJ") shall further develop the record, update the medical records, and issue a new decision. The ALJ shall also:

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- Reevaluate the medical evidence of record, including the opinion evidence from Wendy Wachsmuth Ph.D., Phyllis Sanchez Ph.D., ARNP Joanna Kass, and the State agency physicians;
- Obtain evidence from a medical expert with expertise in psychology or psychiatry;
- Reevaluate Plaintiff's residual functional capacity; and
- Reassess the remaining steps of the sequential evaluation process, obtaining supplemental vocational expert testimony.

3. This remand is made pursuant to 42 U.S.C. § 405(g).

4. Plaintiff's Motion for Summary Judgment, ECF No. 14, is **DISMISSED as moot**.

5. The District Court Executive is directed to enter judgment in favor of Plaintiff and against Defendant.

**IT IS SO ORDERED.** The District Court Executive is hereby directed to file this Order, provide copies to counsel, enter judgment, and close this file.

**DATED** this 28th day of February 2018.



A handwritten signature in blue ink, reading "Stanley A. Bastian", is positioned to the right of the court seal.

Stanley A. Bastian  
United States District Judge